

MAY 11 1993

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

In re Applications of)	MM DOCKET NO. 93-96
)	
ADAM D. GEARHART)	File No. BPH-920102MC
)	
ROBERT G. PICKLESIMER)	File No. BPH-920109MB
)	
For Construction Permit)	
Channel 285A)	
Harold, Kentucky)	

To: Chief Administrative Law Judge
 Joseph Stirmer

**MASS MEDIA BUREAU'S COMMENTS IN SUPPORT OF
 JOINT MOTION FOR APPROVAL OF AGREEMENT**

1. On April 26, 1993, Adam D. Gearhart ("Gearhart") and Robert G. Picklesimer ("Picklesimer") filed a joint motion for approval of agreement, which was supplemented on May 3, 1993. The Mass Media Bureau submits the following comments in support of the joint motion.

2. The agreement contemplates the grant of Gearhart's application and the dismissal of the Picklesimer's application in exchange for \$14,000 (or the amount approved by the Commission, whichever is less) from Gearhart. Picklesimer has demonstrated through appropriate documentation that the monetary consideration he will receive does not exceed his legitimate and prudent expenses.

3. The Bureau supports grant of the joint motion. The joint motion and supporting materials satisfy the requirements of Section 73.3525 of the Commission's Rules, which implements Section 311(c)(3) of the Communications Act of 1934, as amended. The applicants have established that approval of the settlement

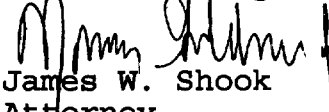
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agreement is in the public interest and that neither of the applications was filed for an improper purpose. Further, Picklesimer has established his right to reimbursement for the amount requested.

4. Accordingly, the Bureau supports grant of the joint request, approval of the agreement, dismissal of Picklesimer's application, grant of Gearhart's application, and termination of this proceeding.

Respectfully submitted,
Roy J. Stewart
Chief, Mass Media Bureau


Charles E. Dziedzic
Chief, Hearing Branch


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Federal Communications Commission
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May 11, 1993

CERTIFICATE OF SERVICE

Michelle C. Mebane, a secretary in the Hearing Branch, Mass Media Bureau, hereby certifies that she has on this 11th day of May, 1993, sent by regular U.S. mail, U.S. Government frank, copies of the foregoing "Mass Media Bureau's Comments in Support of Joint Motion for Approval of Agreement" to:

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